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Before the
Federal Communications Commission
Washington, D.C. 20554

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Federal Communications Commission
Office of Secretary

MM Docket No. 87-268

In the Matter of)
)
Advanced Television Systems)
and Their Impact Upon the)
Existing Television Broadcast)
Service)

To: The Commission

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PETITION FOR RECONSIDERATION

Landmark Television of Tennessee, Inc. ("Landmark"), the licensee of WTVF-TV, Nashville, Tennessee, pursuant to Section 1.429 of the Commission's rules, hereby respectfully requests reconsideration of the Commission's Sixth Report and Order ("Sixth R&O"), FCC 97-115, released April 21, 1997, 62 Fed. Reg. 26684 (May 14, 1997), insofar as it allocates and assigns paired channel 56 to WTVF-TV for digital television ("DTV") service.¹

Station WTVF-TV currently operates on NTSC channel 5. In the DTV Table of Allotments contained in Appendix B to the Sixth R&O, the Commission has allotted DTV channel 56 to WTVF-TV. Appended hereto as Attachment 1 is an engineering statement

¹ Throughout the course of the above-captioned proceeding, the Commission has made several modifications to its proposals for advanced television and to the DTV Table of Allotments contained in Appendix B to the Sixth R&O. Accordingly, the impact of the assignment of DTV channel 56 to WTVF-TV could not be fully analyzed prior to the release of the Sixth R&O. Moreover, the unavailability of OET Bulletin No. 69 has prevented Landmark from fully assessing alternative DTV channel assignments. In view of Landmark's previous lack of a meaningful opportunity to address its specific DTV channel allotment, and the important public interest issues raised herein, Landmark submits that it has standing to file this petition for reconsideration pursuant to Section 1.429 of the Commission's rules.

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indicating that, based upon the information currently available, DTV channel 12 may be used instead of channel 56. It should be noted, however, that the Office of Engineering and Technology Bulletin No. 69 ("OET Bulletin No. 69"), which will clarify the Commission's methodology for evaluating coverage areas and interference, is not yet available. Without examining OET Bulletin No. 69, it is impossible for Landmark to determine with certainty all of the implications of substituting channel 12 for channel 56. Accordingly, Landmark respectfully requests that it be allowed a reasonable amount of time following the release of OET Bulletin No. 69 to supplement this petition with a full engineering study demonstrating that its proposed channel change complies with the Commission's DTV rules.

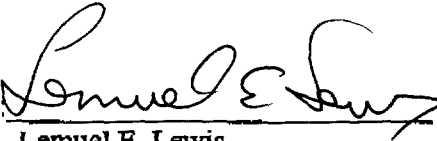
DTV channel 12 is more desirable for WTVF-TV's digital operations because it would allow Landmark to avoid the business planning uncertainties inherent in the use of channel 56, which is outside the DTV "core spectrum."² The use of channel 56 would require the forced relocation of WTVF-TV to a channel within the core spectrum at the end of the DTV transition period. However, the allotment of DTV channel 12 -- which is within the core spectrum under all scenarios -- would eliminate the substantial additional equipment expenses and viewer confusion that WTVF-TV will otherwise have to bear if it is forced to construct a "non-core" digital facility now and then relocate to the core spectrum at some point in the future.

² At the end of the DTV transition period, the Commission intends to locate all DTV channels within a "core spectrum" of either channels 2-46 or 7-51. See Sixth R&O at ¶ 83.

Accordingly, Landmark respectfully requests reconsideration of the Sixth R&O to the extent it allocates DTV channel 56 to WTVF-TV, and urges the Commission to amend the DTV Table of Allotments and assign channel 12 to WTVF-TV instead.

Respectfully submitted,

**LANDMARK TELEVISION
OF TENNESSEE, INC.**

By: 
Lemuel E. Lewis
President

June 13, 1997

LANDMARK TELEVISION
OF TENNESSEE, INC.
474 James Robertson Parkway
Nashville, Tennessee 37219

ATTACHMENT 1

DENNY & ASSOCIATES, P.C.
CONSULTING ENGINEERS
WASHINGTON, DC

**ENGINEERING STATEMENT
IN SUPPORT OF
PETITION FOR RECONSIDERATION
MASS MEDIA DOCKET NUMBER 87-268
LANDMARK TELEVISION OF TENNESSEE, INC.
STATION WTVF
NASHVILLE, TENNESSEE**

This engineering statement has been prepared on behalf of Landmark Television of Tennessee, Inc. (herein Landmark), in support of a Petition for Reconsideration of the Digital Television (DTV) Table of Allotments, adopted as Section 73.622(b) in the *Sixth Report and Order* in Mass Media Docket 87-268. Landmark is the licensee of full-service television station WTVF, Nashville, Tennessee. WTVF is licensed for NTSC operation on channel 5, (76-82 megahertz (MHz)) employing zero frequency offset, maximum effective radiated power (ERP) of 100 kilowatts (kW) and antenna radiation center height above average terrain (HAAT) of 425 meters.¹

¹ The geographic coordinates of the licensed WTVF transmitter site, referenced to the 1927 North American Datum (NAD 27) are 36° 16' 05" North Latitude; 86° 47' 16" West Longitude.

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The FCC DTV Table of Allotments assigns channel 56 (722-728 MHz) for use by WTVF with an equivalent average ERP of 1000 kW and antenna radiation center HAAT of 425 meters. Since channel 56 is outside of both DTV core spectrum plans contemplated by the FCC, the use of channel 56 by Landmark would require a costly modification of the WTVF DTV facilities at the end of the migration period. Furthermore, since WTVF has been assigned the maximum permitted DTV ERP of 1000 kW, full DTV implementation on channel 56 will be at considerable expense to Landmark. After evaluating the cost factors and the temporary nature of DTV operations by WTVF on channel 56, Landmark would have no alternative but to provide only limited DTV operations on this channel.

According to the Association for Maximum Service Television Inc.'s (MSTV) list of Alternative DTV Channel Assignments in the Continental United States, channel 12 (204-210 MHz) is available for use by WTVF at Nashville, Tennessee. Use of channel 12 by Landmark at Nashville, Tennessee, in lieu of channel 56, would serve the public interest by speeding the implementation of full WTVF DTV operations by Landmark and would prevent a costly relocation

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to the core DTV spectrum at the end of the migration period. Additionally, channel 56 would become immediately available for low power television facilities being displaced by DTV assignments.

Calculations made in accordance with the methodology described in Appendix B of the *Sixth Report and Order* in Mass Media Docket 87-268, indicate that the ERP required to achieve replication of the WTVF Grade B contour is approximately 40 kW. Furthermore, approximately 1,606,000 persons in 36,540 square kilometers are predicted to receive interference-free DTV service from the WTVF DTV operation on channel 12.


Accordingly, Landmark requests modification of the DTV Table of Allotments to specify the use of channel 12 for WTVF, Nashville, Tennessee. Furthermore, Landmark requests that Table 1 of Appendix B of the *Sixth Report*

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and Order be modified to specify WTVF DTV operation on channel 12 with an ERP of 40 kW and antenna radiation center HAAT of 425 meters.



Alan R. Rosner, P.E.

Subscribed and sworn to before me this 13th day of June, 1997.



Jennifer J. Mateik
Notary Public, District of Columbia
My commission expires June 30, 2001